

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WESTPORT INSURANCE
CORPORATION,

Plaintiff,

v.

RICHARD C. HEIDLAGE, KOTIN,
CRABTREE AND STRONG, LLP, AND
NORTH AMERICAN UNDERWRITING
MANAGERS, INC.

Defendants.

CIVIL ACTION NO.
1:05-cv-11780 NMG

**STIPULATION AS TO PLAINTIFF'S ATTORNEYS FEES
THROUGH JANUARY 31, 2007**

Whereas, on January 26, 2007, the following was entered on the docket in this case:

Docket Text:

ElectronicClerk's Notes for proceedings held before Judge Douglas P. Woodlock :
Motion Hearing held on 1/26/2007. Heidlage's motion for partial summary judgment granted as to the declaratory judgment establishing Westport's duty to defend. Attorney's fees will be awarded, but the full amount cannot yet be determined, as elements of this case remain outstanding. Westport's motion for summary judgment was denied. The parties are required to submit a joint status report outlining any material developments in the Florida action. The first report shall be submitted by June 1, 2007, at the latest, and every two months thereafter until the Florida case is resolved. If there are material developments before the two month report is due, an interim report should be filed. Heidlage's counsel is to provide Westport an affidavit detailing attorney's fees to date, by Feb. 26, 2007.(Court Reporter Pam Owens.) (Rynne, Michelle)

Whereas, the parties wish to stipulate as to the amount of attorneys fees and costs to be paid on an interim basis by Plaintiff Westport Insurance Company ("Westport") to Defendant Richard C. Heidlage ("Heidlage").

Therefore it is agreed and stipulated between Westport and Heidlage, that Westport will pay to Heidlage the sum of \$52,300.00 in full settlement of any claim of Heidlage for, or damages relating to, attorneys fees or costs incurred in this action prior to January 31, 2007.

RICHARD C. HEIDLAGE

By his attorney,

/s/ Richard M. Bluestein

Richard M. Bluestein, BBO#046840
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WESTPORT INSURANCE CORPORATION

/s/ Steven J. Bolotin

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Dated: May 3, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon counsel of record for each party hereto by the Court's electronic filing system on this 3rd day of May, 2007.

/s/ Richard M. Bluestein

Richard M. Bluestein